

it back to the Senate with the recommendation that it do pass, and be printed.

WEINERT, Chairman.

Senate Bill on First Reading

The following bill was introduced, read first time, and referred to the Committee on Counties and County Boundaries:

By Senator Metcalfe:

S. B. No. 48, A bill to be entitled "An Act validating an election held under the provisions of Chapter 339, Acts Regular Session, Forty-fourth Legislature, transferring certain lands from the Evans Common School District No. 7, in Mills County, Texas, to The Mullin Independent School District, Mills County, Texas, and to the Jones Valley Common School District No. 12, in Mills County, Texas, and declaring an emergency."

Schedule of Committee Meetings

Senator Weinert announced that the following schedule of regular meetings to be held by the standing committees indicated had been agreed upon by the chairmen of said committees:

Finance:

Mondays and Wednesdays at 2:00 o'clock p. m.

Roberts, Chairman.

Constitutional Amendments:

Mondays at 3:30 o'clock p. m.

Moffett, Chairman.

Insurance:

Mondays at 7:30 o'clock p. m.

Cotten, Chairman.

State Affairs:

Tuesdays and Thursdays at 2:00 o'clock p. m.

Weinert, Chairman.

Civil Jurisprudence:

Tuesdays at 7:30 o'clock p. m.

Van Zandt, Chairman.

Criminal Jurisprudence:

Tuesdays at 7:30 o'clock p. m.

Spears, Chairman.

Highways and Motor Traffic:

Wednesdays at 7:30 o'clock p. m.

Brownlee, Chairman.

Labor:

Thursdays at 7:30 o'clock p. m.

Spears, Chairman.

Adjournment

On motion of Senator Weinert, the Senate, at 3:20 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

APPENDIX

Report of Committee on Enrolled Bills

Austin, Texas,
January 16, 1939.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had Senate Bill No. 18 carefully examined, compared, and read, and find same correctly enrolled.

STONE

of Galveston, Chairman.

SEVENTH DAY

(Thursday, January 19, 1939)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

Absent—Excused

Head

Spears

A quorum was announced present.

The invocation was offered by the Chaplain.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence Granted

Senator Spears was granted leave of absence for today, on account of important business, on motion of Senator Moore.

Messages from the Governor

A Secretary of the Governor appeared at the bar of the Senate, and being duly announced, presented the following messages from the Governor, which were read by the Secretary and were referred by the President to the Committee on Nominations of the Governor:

Austin, Texas,
January 18, 1939.

To the Senate of the Forty-sixth Legislature:

I ask the advice, consent and confirmation of the Senate to the following appointment:

To be Adjutant General of the State of Texas, (term beginning January 17, 1939):

Harry Knox, Jr., of Brown County.

Respectfully submitted,
W. LEE O'DANIEL,
Governor of Texas.

Austin, Texas,
January 19, 1939.

To the Senate of the Forty-sixth Legislature:

I ask the advice, consent and confirmation of the Senate to the following appointments:

To be Secretary of State:

Tom L. Beauchamp of Smith County.

To be State Tax Commissioner (term beginning January 22, 1939):

Elster M. Haile of Deaf Smith County.

Respectfully submitted,
W. LEE O'DANIEL,
Governor of Texas.

Report of Standing Committee

Senator Weinert submitted the following report of the Committee on State Affairs:

Austin, Texas,
January 19, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 2, A bill to be entitled "An Act amending Article 1901 of the Revised Civil Statutes of Texas of 1925, pertaining to the custody and care of records; excepting certain counties; and providing specific provisions for the removal of records under certain conditions; and providing an emergency,"

Have had the same under consideration and I am instructed to report back to the Senate with the recommendation that it do pass, and be not printed.

WEINERT, Chairman.

Senate Bills on First Reading

The following bills were introduced, read severally first time, and referred to the committees indicated:

By Senator Metcalfe:

S. B. No. 49, A bill to be entitled "An Act amending Article 7047-b, of the Revised Civil Statutes of 1925, relating to tax payments made under protest, etc., and declaring an emergency."

Referred to Committee on Mining, Irrigation and Drainage.

By Senator Metcalfe:

S. B. No. 50, A bill to be entitled "An Act amending Article 7057-a, of the Revised Civil Statutes of 1925, relating to tax on production of oil, and declaring an emergency."

Referred to Committee on Mining, Irrigation and Drainage.

By Senator Metcalfe:

S. B. No. 51, A bill to be entitled "An Act amending Article 7057-a of the Revised Civil Statutes of 1925 relating to collection of tax on production of oil, and declaring an emergency."

Referred to Committee on Mining, Irrigation and Drainage.

By Senator Metcalfe:

S. B. No. 52, A bill to be entitled "An Act amending Article 7047-b of the Revised Civil Statutes of 1925, relative to tax payments made under protest, etc., and declaring an emergency."

Referred to Committee on Mining, Irrigation and Drainage.

By Senator Moore:

S. B. No. 53, A bill to be entitled "An Act amending S. B. 29, Chapter 13, Acts Fourth Called Session, Forty-first Legislature, so as to eliminate certain conflicts relative to the term of leases on prison lands; confirming and validating certain leases under certain circumstances and conditions; and declaring an emergency."

Referred to Committee on Public Lands and Land Office.

Message from the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas,
January 19, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 12, Authorizing the selection of a poet laureate.

H. C. R. No. 19, Authorizing House and Senate to adjourn from January 19, to January 23, 1939.

Respectfully submitted,

E. R. LINDLEY,
Chief Clerk, House of Representatives.

Suspension of Constitutional Rule

Senator Weinert moved that the constitutional rule relative to the consideration of resolutions and bills during the earlier days of the Regular Session of the Legislature be suspended and that H. C. R. No. 6 be considered and reported by the Committee on State Affairs.

The motion prevailed by the following vote:

Yeas—27

Aikin	Nelson
Beck	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield
Moore	

Nays—2

Brownlee Hill

Absent—Excused

Head Spears

Resolutions Signed

The President signed in the presence of the Senate, after their captions had been read, the following enrolled resolutions:

H. C. R. No. 5, In memory of Hon. John L. Darrouzet.

H. C. R. No. 13, Providing for a joint session Wednesday, January 18, for the purpose of hearing the message of Governor O'Daniel.

House Concurrent Resolution 12

The President laid before the Senate:

H. C. R. No. 12, Providing for selection of a poet laureate by a joint committee of the House and Senate.

The resolution was read, and was considered at this time by unanimous consent, and was adopted.

House Bill 2 on Second Reading

Senator Roberts moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 2 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

Absent—Excused

Head	Spears
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On motion of Senator Roberts and by unanimous consent, Senate Rules 31a and 48 were suspended, to permit consideration of the bill at this time.

The President then laid before the Senate on its second reading and passage to third reading:

H. B. No. 2, A bill to be entitled "An Act amending Article 1901 of the Revised Civil Statutes of 1925 pertaining to the custody and care of records, excepting certain counties, and providing specific provisions for the removal of records under certain conditions, and providing an emergency."

The bill was read second time and was passed to third reading.

House Bill 2 on Third Reading

The President then laid H. B. 2 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Martin
Beck	Metcalfe
Brownlee	Moffett
Burns	Moore
Collie	Nelson
Cotten	Pace
Graves	Redditt
Hardin	Roberts
Hill	Shivers
Isbell	Small
Kelley	Stone
Lanning	of Galveston
Lemens	

Stone	Van Zandt
of Washington	Weinert
Sulak	Winfield

Absent—Excused

Head	Spears
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At Ease

On motion of Senator Shivers, the Senate, at 10:25 o'clock a. m., stood at ease until 10:45 o'clock a. m. today.

The President called the Senate to order at 10:45 o'clock a. m.

Hour for Executive Session Set

Senator Shivers asked unanimous consent of the Senate that 10:46 o'clock a. m. today be set as the hour for the Senate to go into executive session to consider nominations heretofore submitted by the Governor.

There was no objection offered, and it was so ordered.

Executive Session

The President, at 10:46 o'clock, a. m., announced that the hour heretofore fixed for an executive session of the Senate had arrived.

The Sergeant-at-Arms was directed to clear the floor and galleries of all those not entitled to attend the executive session and to close all doors leading from the Senate Chamber.

After Executive Session

At the conclusion of the executive session, the Secretary of the Senate reported to the Journal Clerk that the following nominations of the Governor had been confirmed by the Senate:

To be Secretary of State:

Tom L. Beauchamp of Smith County.

To be Judge of the Special Ninth Judicial District composed of Montgomery, Polk, and San Jacinto Counties:

E. T. Murphy of Polk County.

The President called the Senate to order, as in legislative session, at 11:55 o'clock a. m.

Senate Resolution 14

Senator Stone of Washington, by unanimous consent, offered at this time the following resolution:

Be it Resolved, That the Caucus Report of the Senate of the Forty-sixth Legislature be amended so as to provide that the pay of the Assistant Journal Clerk shall be Seven & 50/100 (\$7.50) Dollars per day and that this amendment shall be effective as of the first day of the session, January 10, 1939.

The resolution was read.

Senator Van Zandt moved to refer the resolution to the Committee on Finance.

Senator Stone of Washington moved to table the motion to refer, and the motion to table was lost.

Question recurring on the motion to refer, it prevailed.

Adjournment

On motion of Senator Burns, the Senate, at 12:00 o'clock m., adjourned until 10:00 o'clock a. m. next Monday, January 23, 1939.

Record of Votes

Senators Pace and Sulak asked to be recorded as voting "nay" on the motion to adjourn.

EIGHTH DAY

(Monday, January 23, 1939)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

A quorum was announced present.

The invocation was offered by the Chaplain.

On motion of Senator Van Zandt, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 19, 1939, was dispensed with and the Journal was approved.

Report of Standing Committee

The following report of the Committee on State Affairs was submitted by Senator Weinert:

Committee Room,
Austin, Texas, January 23, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. C. R. No. 6, Setting aside a suitable area on the south or other suitable entrance of the Capitol to accommodate not less than one hundred (100) automobiles of the members of the House of Representatives and Senate; and that twenty (20) additional spaces, or as many thereof as may be needed, be included for the accommodation of the newspaper correspondents,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Senate Bills on First Reading

The following bills were introduced, read severally first time, and referred to the committees indicated:

By Senators Metcalfe and Kelley:

S. B. No. 54, A bill to be entitled "An Act amending Article 2654 of the Revised Civil Statutes of 1925, as amended by Chapter 52, of the Acts of the Second Called Session of the Forty-first Legislature, by adding thereto a new article, to be known as Article 2654e, authorizing and directing the governing boards of the several institutions of collegiate rank, supported in whole or in part by public funds appropriated from the State Treasury, to except and exempt certain students from other nations of this continent from the payment of all dues, fees and charges; providing that the foregoing exemption shall